

SUSSMAN & ASSOCIATES

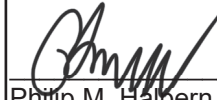
- Attorneys at Law -

MICHAEL H. SUSSMAN
JONATHAN R. GOLDMAN

1 R Application granted. Given the parties' representations herein,
Gos they may opt out of the mediation process. If, however, the
parties believe that process may be useful, they shall so advise
the Court.

sus The Clerk of the Court is respectfully directed to terminate the
motion sequence pending at Doc. 20.

SO ORDERED.



Philip M. Halpern
United States District Judge

Dated: White Plains, New York
October 15, 2021

October 6, 2021

Honorable Philip M. Halpern
United States District Court – SDNY
300 Quarropas Street
White Plains, Ny 10601

Re: Browne and Parker v. NY State Dept of Correctional Services, et al.,
21 cv 05240 (PMH)

Dear Judge Halperin,

I represent plaintiffs in this civil rights action relating to my clients' employment with the defendants. We filed the complaint on June 14, 2021 and defendants answered on August 27, 2021. The court then referred this matter to mandatory mediation and the parties conferred with the mediator.

After discussion, counsel for all parties have concluded that this matter cannot now be resolved and that the resources of the federal mediation office could better be expended on other matters. While we appreciate that mediation may serve to narrow issues and focus the parties, we believe our conversations have achieved these purposes to the maximum extent now possible and that we need to litigate the matter further before there is any realistic chance of resolution. Accordingly, we respectfully request that Your Honor allow us to opt out of the mediation process with the understanding that if counsel believe court-assisted mediation will be useful, we shall make that request

Thank you for your consideration in these regards.

Respectfully submitted,


Michael H. Sussman

cc: Amanda Yoon, Esq. for defendants